IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION DOCKET NO. 5:09CR35

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	FINAL
v.)	ORDER OF FORFEITURE
)	
BENNY THOMAS MCNEILL, JR.,)	
)	
Defendant.)	

On October 20, 2009, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(b), based upon the defendant's plea of guilty to Counts Three and Four of the Bill of Indictment. In Count Three, the defendant was charged with knowingly and intentionally opening, leasing, renting, using and maintaining a place for the purpose of manufacturing, distributing, and using a controlled substance, in violation of 21 U.S.C. § 856(a)(1) In Count Four, the defendant was charged with possession of a firearm in the furtherance of a drug trafficking crim, in violation of 18 U.S.C. § 924(d).

On January 23, 2010 through February 21, 2010, the United States posted on an official government internet site (www.forfeiture.gov), for at least 30 consecutive days, notice of this forfeiture and of the intent of the United States to dispose of the forfeited property in accordance with law, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such claims have been filed.

IT IS THEREFORE ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final.

All right, title, and interest in **the following properties**, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

- Ruger, 10/22, .22 caliber rifle, s/n 245-31115, with scope
- Western Field, 326FR, 12 gauge shotgun, s/n unknown
- Smith & Wesson, model unknown, .38 caliber handgun, s/n D396161
- Rossi, model unknown, .22 caliber pistol, s/n 300988
- Two 9mm caliber magazines
- Six boxes of various ammunition
- Rifle scope mounts
- One black cylinder and three holsters

Signed: April 13, 2010

Richard L. Voorhees United States District Judge

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